AMENDMENTS AND VOTES. On the Compromise, or Omnibus Bill.

IN SENATE-WEDNESDAY, May 15.

The hour of one o'clock having arrived,
The PRESIDING OFFICER announced the special order of the day, being the bill reported from the select Committee of Thirteen to admit California as a State into the Union, to establish carried as follows: territorial governments for Utah and New Mexi TEAS—Messrs. Baldwin, Bradbury, Bright, and Upham—21.

Chase, Clarke, Cooper, Corwin, Davis of Massatablishment of her western and northern boundaries. This bill was announced to be under consideration as in Committee of the Wilde, and Opham, Walker, or Walker, and Walk

open to amendment.

Mr. DOUGLAS. Mr. President, I am desirous of getting a test vote of the Senate upon one question involved in this controversy. I am not certain but this is the best time to submit a motor of Mississippi. Dawson, Dickinson, Dodge of Jowa, Downs, Foote, Houston, Hunter, Jones, Marker, of Webster, and Whitcomb—25.

NAVS—Messrs. Atchison, Badger, Bell, Bendra, Webster, and Whitcomb—25.

NAVS—Messrs. Atchison, Badger, Bell, Bendra, Butler, Cass, Clay, Clemens, Davis of Mississippi, Dawson, Dickinson, Dodge of Jowa, Downs, Foote, Houston, Hunter, Jones, Marker, of Mississippi. shapes: once in separate bills, and then in a joint bill, the bills being substantially the same in both cases. I desire now to ascertain whether it be the wish of the Senate to proceed with now recurs on the amendment offered by the them jointly or separately, because, that point being decided, it would neccessarily make great difference in our action. My object, therefore, is to submit a motion which will decide whether we shall proceed to the consideration of these we shall proceed to the consideration of these bills jointly or separately. In order to decide that question, I move to lay the bill on the table, for the purpose of proceeding to the consideration of the bill to admit California as a State Underwood—25.

NAYS—Messrs. Baldwin, Benton, Bradbury, Chang, Clarke, Cooper, Corwin

YEAS—Messrs, Baldwin, Benton, Bradbury, Chase, Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Douglas, Felch, Greene, Hale, Miller, Norris, Seward, Shields, Smith, Spruance, Sturgeon, Upham, Walker, Webster, and Whitcomb—30. So the amendment was not agreed to.

Mr. SEWARD. I now submit the following the following statement of the st ster and Yulee-24.

NAYS-Messrs. Atchison, Bell, Berrien, Por- section: King, Mangum, Morton, Pratt, Rusk, Soule Utah and New Mexico."
Sturgeon, Turney, Underwood, and Whitcomb Mr. HALE. I call for the yeas and nays on Sturgeon, Turney, Underwood, and Whitcomb

So the bill was not laid upon the table.

The Senate resumed, as in Committee of the Whole, the consideration of the bill to admit California as a State into the Union, to establish tablishment of her western and nothern bounda-

ries.

The pending question was that offered by Mr. Pratt, and modified and adopted by Mr. Davis, of Mississippi, as follows:

"Strike out the words" in respect to" and in

sert "to introduce or exclude," and after the words "slavery" to insert the following proviso:"

Provided, That nothing herein contain shall be construed to prevent said territorial legislature passing such laws as may be necessary for the protection of the rigts of property of an kind which may have been, or may be hereafter conformably to the Constitution and laws of the United States, held in or introduced into said territory."
Mr. UNDERWOOD resumed and concluded

the speech which he began yesterday The yeas and nays were demanded and or-

dered on the amendment of the senator from

Mr. CHASE, Mr. President, it is not my purpose or desire to enter at present into a discussion of the principle involved in the amend-Rusk, Sebastian, Soule, Spruance, Sturgeon. ment now before the Senate. I agree with the proposer of it, [Mr. Davis, of Mississippi,] that by a strong implication at least, the existence of slavery in the territories, or, at all events, the constitutional right of slaveholders to carry their slaves into them, and hold them there .-Other senators deny this. Now, sir, I desire to exclude the conclusion of the senator from Mississipp i, and, for that purpose, submit an amendment, which, I think, will have that effect. I ask that it may be read, and desire a vote upon

Mr. PRATT inquired whether it would be in order to offer to amend the amendment after the yeas and nays had been ordered on that amend-The VICE PRESIDENT decided that it was

in order. The SECRETARY read the amendment to the

amendment, as follows:
"Provided, further, That nothing herein con-

tained shall be construed as authorizing or permitting the introduction of slavery or the holding of persons as property within said Terri-Several SENATORS. It is the Wilmot Pro-

The yeas and nays were ordered. June 5th. Mr. DICKINSON. I have but a word to say. It has seemed to me from the beginning that an undue consequence has been given to the section under consideration, and to both the amendments proposed to it. I do not favor the original section, which prohibits legislation in respect to African slavery, and shall vote to strike it out. but I shall vote for the bill if it is retained, because I deem the measure of so much consequence that I will not be turned from its support by details of minor importance of which I not approve. The senator from Mississippi, [Mr. Davis,] nothwithstanding the bill authorizes the territorial legislature to act upon all "rightful subject of legislation," believes that certain policy legislation, which he thinks may become necessary, may, by a strict construction of the section, be prohibited, and has proposed an amendment providing that nothing contained in that section shall be construed to prevent proper legislation for the protection of every species of property there, or which may be carried there in conformity with the Constitution and laws of the United States. I suppose this amendment striken out to be read. cannot be necessary under any view of the case, since rightful subjects of legislation are provided for; but the Senator thinks it is, and I see no particular harm in it except that it makes provision for cases already sufficiently provided for. strike out the whole of the clause. The senator from Ohio [Mr. CHASE] then, to any inference authorizing slavery which the Sention with some other words. ator thinks may be drawn from the amendment by construction, there can be no provision ne- then as it will stand when amended.

not my intention, either directly or indirectly, to favor, by voice or vote, the extension of slavery or the restriction of slavery, in the territories, by Congress, or any interference with the sub-Now, sir, I wish to say, once for all, that it is

it, but I am sure it cannot, and that no amend

ject whatsoever. Nor am I influenced in this conclusion by the local laws of the territory in question, either natural or artificial—the laws of nature or the laws of man; and, for all the purposes of present action, I will not inquire what they are in either respect. I will stand upon the true principles of non-intervention, in the broadest possible seuse, for non-intervention, in the broadest possible seuse, for non-intervention of sake, to uphold the fundamental principles of freedom and for me other reason and will leave freedom, and for no other reason, and will leave of.

suited as follows: YEAS—Messrs. Baldwin, Bradbury, Bright,

tion in order to produce that result. We have the subjects involved in that bill before us in two Rusk, Schastian, Soule, Sturgeon, Turney, and the bill in the tenth section, by adding, after the

So the amendment was not agreed to.

The PRESIDING OFFICER. The question

senator from Mississippi.

The yeas and nays having been demanded, and ordered on this amendment, resulted as follows: YEAS—Messrs. Atchison, Badger, Bell, Berrien, Butler, Clay, Clemens, Davis of Mississippi,

and nays.

The yeas and nays were ordered, and, being Davis of Massachusetts, Dayton, Dodge, of Wis-

"Neither slavery nor involuntary servitud land, Bright, Cass, Clay, Clemens, Davis of ississippi, Dawson, Dickinson, Dodge of Iowa, Downs, Elmore, Foote, Houston, Hunter, Jones, ever be allowed in either of said Territories of

that amendment.

The ve s and navs were ordered.

Mr. DAViS, of Mississippi. I am as well p pared to vote on this amendment now as I ever shall be, but I submit whether, having taken one California as a State into the Umon, to establish vote on this matter, and some members of the should be proved that any instant has been territorial governments for Utah and New Mexico, and making proposals to Texas for the esposition of the present, and to fix a time at person convicted of having so entired him shall which it may be taken? Several Senators. "No, no, no," and cries of

Question, question." The PRESIDING OFFICER. Does the enator from Mississippi make a motion? Mr. DAVIS. I merely wished to sugge

take a vote, take a vote." Mr. DAVIS. I am content.

The question on the amendment of Mr. SEW ARD was taken by yeas and nays, and resulted

las, Felch, Greene, Hale, Hamlin, Miller, Norris, Seward, Shields, Smith, Upham, Whitcomb and

of Mississippi, Dawson, Dickinson, Dodge of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Mangum, Mason, Morton, Pearce, Pratt, But, sir, if this amendment is passed, if slavery Tueney, Underwood, Webster and Yulee 33. So the amendment was not agreed to.

Mr. BERRIEN. I move to strike out in the

I am not able to regard this amendment as such a proposition. The senator from Mississippi declares that if we adopt it, we shall recognize, the primary disposal of the soil," nor establish-question again and again, will be resisted by the gress in eighteen hundred and thirty-six, and the ing or prohibiting African slaver

> And upon that amendment I ask the year and The yeas and navs were ordered.

Mr. WALKER. I wish to offer an amend ment to the amendment. After the word "slavery" insert as follows: "That peon slavery is hereby foreyer abol-

ished in the said territories." The PRESIDING OFFICER. That amendment is not now in order. The question being taken on the

of Mr. BERRIEN, resulted as follows: YEAS-Messrs. Atchison, Badger, Bell, Berrien, Borland, Butler, Clay, Clemens, Davis of Houston, Hunter, Jones, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Soule, Spruance, Sturgeon, Turney, Webster and Yu-

NAYS-Messrs. Baldwin, Benton, Bradbury, Bright, Cass, Chase, Clarke, Cooper, Corwin,
Davis of Massachusetts, Dayton, Dodge of Wis
Mr. CLEMEN consin, Dodge of Iowa, Douglas, Felch, Greene, Hale, Hamlin, Miller, Norris, Seward, Shields Smith, Underwood, Upham, Walker, and Whit- senators moving the same question again and

So the amendment was adopted.

The question was then taken on the amendent of Mr. HALE, and resulted as follows: YEAS-Messrs. Baldwin, Bradbury, Chase, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dodge, of Wisconsin, Douglas, Felch, Greene, Hale, Hamlin, Miller, Norris, Seward, Shields, Smith, Upham, Walker, and Whitcomb -21.

NAYS-Messrs. Atchison, Badger, Eell, Ben-Clemen., Cooper, Davis, of Mississippi, Dawson, Dickinson, Dodge, of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Mangum, Mason, Spruance, Sturgeon, Turney, Underwood, Webster, and Yulee-36.

So the amendment was rejected The PRESIDING OFFICER. The question on the subject than I am. now recurs on the motion to strike out the words "nor establishing nor prohibiting African

slavery." Mr. CASS. I should like the words immediately preceding the words proposed to be

The clause was read accordingly. Mr. HALE. I beg leave to suggest to the

The PRESIDING OFFICER. The guard against any inference which may be drawn will state to the senator that it would not be in from the amendment of the senator from Mis- order to strike out the words which have just sissippi authorizing slavery, proposes to add a been inserted, except in connection with some further proviso, that nothing therein contained other words. It is not in order to move to strike shall be construed to authorize slavery, &c- out by themselves the words "establishing or This is not, as has been supposed by some, the ordinance of 1787 over again, but merely rebuts serted; but they may be stricken out in connec-

Mr. DOUGLAS. As there is some doubt as of the senator from Mississippi. As, however, to how the section will read when amended, I no such authority is there or can be put there, ask that it may be read as it now stands, and

The question being taken on the motion of

Mr. CHASE, it was not agreed to. Mr. BALDWIN. If it is in order to move to

the people of the territories and of the States to such rights and privileges as are theirs under the Constitution and laws of the United States, without addition to or diminution from such and it resulted as follows: YEAS -Messrs. Bradbury, Cass, Chase, Clarke,

Clay, Cooper, Corwin, Dickinson, Dodge of Iowa, Douglas, Felch, Greene, Hamlin, Jones, Miller, Norris, Seward, Shields, Sturgeon, Underwood and Uphsm-21.

funter, King, Mangum, Mason, Morton, Pierce, Pratt, Russ, Sebastian, Soule, Spruance, Tur-ney Walker, Webster, Whitcomb, and Yulee-

Mr. WALKER. I believe my amendment word "slavery," the following words: "And that peon slavery is forever abolished."

Mr. HALE. I move to amend that amendment by striking out the word "peon." [Laugh-

Mr. WALKER. We have just voted on roposition in regard to African slavery, and it has been rejected. There is a species of slavery there which I think ought to be abolished, and against which none has been more cloquent in his declamation than the honorable senator from Louisiana. It is in regard to this species of slavery that I propose my amendment, and I hope it will be adopted.

Mr. BENTON. The amendment is well founded and deserves the attention of the Sen-ate. With the view of showing this I will read from an ordinance passed at Monterey in rela-

tion to peonage:

"That no person whatever shall from henceforth hire or take into his service any Indian without a certificate from the former employer of that Indian stating that the said employer has no claims on the services of that Indian for wages advanced."-It is still stronger in the Spanish, the word

no, which is translated "employer," corresponding with our words, "master, owner, or proprietor." The ordinance in another clause

nen goes on to say:
"Any person taking into his employment any Indian without such certificate, and advancing any money or property to said Indian, shall forshall be, but I submit whether, having taken one feit any money or property so advanced; and if vote on this matter, and some members of the it should be proved that any Indian has been be liable to a fine not exceeding twenty dollars

nor less than five dollars."

This ordinance was issued at Monterey on the 11th of January, 1847. The word "slavery," which is in the amendment offered by the senator from Wisconsin, I do not think is technically correct. I would suggest that the word " serviwould be more technically correct.

Mr. WALKER. I accept the suggestion of the senator from Missouri.

Mr. PRATT. It occurs to me, Mr. President, that we have no legislative power to interfere with this subject. Shavery either exists there or

of the contract of the individuals. Here, then, is this servitude existing by the recognized law Walker—23.

Navs—Messrs. Atchison, Badger, Bell, Benton, Berrien, Butler, Cass, Clay, Clemens, Davis

of that country. Now, what right has Congress to interfere with the vested rights of these people, and say that those rights shall not exist which

or servitude, either in the peon or the negro, is abolished there, it must include the obligation on the part of this Goveenment to pay the debt proposer of it, [Mr. DAVIS, of altersorphy]
it is exceedingly desirable to have a proposition to vote upon which means something, and has sixth line of the tenth section the words "in revalue of the African slave, if that species of spect to," and insert the words "establishing or slavery is to be abolished. I do, therefore, hope for which that servitude was pledged, or the any territory lying north of said line." senate, and that they will be voted down.

remarks which have just fallen from my friend friend Maryland, and it seems to me that they should arrest the attention of the Senate. It apfrom Wisconsin, I will move to amend it by adding after the words " peon slavery," the words growing out of or connected with any future rien, Borland, Butler, Clay, Clemens, Davis of contract." I propose that as an amendment, and, Mississippi, Dawson, Dickinson, Downs, Foote, if it should be agreed to, the whole amendment can be voted down, if it be deemed necessary.

Mr. CLEMENS. I move that the Senate now Mr. WALKER. Will the senator from Alabama withdraw that motion for one moment, for

Mr. CLEMENS. I withdraw it.

Mr. WALKER. I do not know what the senator from Maryland intended to imply by again, but I can assure him that my motive was not to reach the question of African slavery under this guise. Tassure the senator and the country that I had no such intention whatever. One other observation. As I understand peon

service, it is a kind of a modified form of imrisonment for debt. Now, we know that the Congress of the United States has heretofore abolished the system of imprisonment for debt. In the case of these peons they are obliged to shall be a line drawn due east from the Rio work for a certain master, to whom they are ton, Berrien, Borland, Bright, Butler, Cass, Clay, confined, and imprisonment for debt is only besonment for debt, and as we are new legislating Morton, Pearce, Pratt, Rusk, Sebastian, Soule, for a territory under a doctrine which has already been dicided, I think we may clearly exercise this power. However, I am willing to defer to Arkansas and Red river. the opinions of those who are more enlightened

then adjourned. JUNE 6th.

TON, and resulted as follows: YEAS-Messrs. Atchison, Berrien, Bradburry, Clay, Clemens, Cooper, Davis of Massachusetts, Dawson, Dayton, Dickinson, Douglas, Felch,

Texas will not contend against this.

The question being then taken upon Hamlin, Hunter, King, Mason, Miller, Morton, Smith, Spruance, Sturgeon, Underwood, and

Iowa, Foote, Houston, Jones, Mangum, Norris, Pearce, Pratt, Rusk, Seward, Shields, Soule, Turney, Upham, Walker, and Whitcomb-26. the amendment to the amendment was

Mr. DOUGLAS called for the yeas and nays,

by construction, there can be no provision necessary to rebut such presumption. Besides, as the section was accordingly read as desired. The section was accordingly read as desired. Mr. CHASE. I would inquire of the Chair of the senator from Mississippi contains objectionable or doubtful phraseology in should be corrected directly, by changing the language of the amendment, and not by explaining it by a further proviso. If I thought the amendment of the proviso. If I thought the amendment of the senator from Mississippi could possibly be constructed as is supposed, I would vote to change it, but I am sure it cannot, and that no amendment.

The question then recurring upon the amendment of the Chair days 32, as follows:

The presumption. Besides, as and the were ordered.

Mr. DICKINSON. I know enough about this peonage, from what I have read and heard, to believe it to be an execrable kind of service, and the were ordered.

Mr. DICKINSON. I know enough about this peonage, from what I have read and heard, to believe it to be an execrable kind of service, and one which it is very desirable to get rid of; but I do not do ire or intend to complicate this bill, or to embarrass it with any such questions.

Mr. DOUGLAS called for the yeas and nays, and the were ordered.

Mr. DICKINSON. I know enough about this peonage, from what I have read and heard, to believe it to be an execrable kind of service, and one which it is very desirable to get rid of; but I do not do ire or intend to complicate this bill, or to embarrass it with any such questions.

Whatever restrictions may have been placed in other parts of the bill, were not placed there of the present of the Chair distribution by Mr. Downs, it was rejected—yeas 15, and the were ordered.

Mr. DOUGLAS called for the yeas and hays, and the were ordered.

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Mr. DOUGLAS called for t over matters in this territory so entirely do- Dickinson, Dodge of Wisconsin, Dodge

legislation in the territories against this form of "All rightful subjects of legislation"
fleft open to them, and if the people in
flories have not intelligence to legislate
late a domestic affair of this kind understandingly, and as it should be legislated upon, I shall despair of guiding them in this way with leading-strings three thousand miles long. I have no doubt that it is very desirable to get rid of peonage, and I have as little doubt that it will be done at an early day; but I do not desire to embarrass this bill with it. There is embarrassment epough around it already, and conflict of views enough, and I therefore prefer the keep it out, and shall vote to keep it out.

The question was then taken on Mr. WALKER'S

The question was then taken on Mr. WALKER'S mendment, and resulted as follows: YEAS—Messrs. Baldwin, Benton, Bradbury, Chase, Corwin, Davis of Massachusetts, Dodge of Wisconsin, Dodge of Iowa, Douglas, Felch, Greene, Hale, Hamlin, Jones, Norris, Seward, Shields, Spruance, Upham, and Walker—20.

NAYS—Messrs, Atchison, Badger, Bell, Berlin

NAYS—Messrs. Atchison, Badger, Bell, Berrien, Borland, Bright, Butler, Cass. Clemens, Cooper, Davis of Mississippi, Dawson, Dickinson, Downs, Foote, Houston, Hunter, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Smith, Soule, Sturgeon, Turney, Underwood, Webster, and Yulee—32.

So the amendment was lost.

The question being then taken upon Mr.
BALDWIN'S amendment, it was rejected—yeas 23, nays 32-as follows:

YEAS-Messrs. Baldwin, Bradbury, Bright, Chase, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Douglas, Felch, Greene, Hale, Hamlin, Miller, Norris, Seward, hields, Smith, Spruance, Upham, Walker, and Whitcomb-23.

NAVS-Messrs. Atchison, Badger, Bell, Benton, Berrien, Borland, Butler, Cass, Clay, Clemens, Davis of Mississippi, Dawson, Dickinson, Dodge of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, Sebastian, Soule, Sturgeon, Turney, Underwood, and Yulee—32.

June 6th Mr. YULEE. I will move, then, to amend the bill by striking out the twenty-first section, and inserting in lieu thereof the following:

" And be it further enacted, That the Constiution and laws of the United States are hereby extended over, and declared to be in force in the said territory of Utah, so far as the same or any provision thereof may be applicable."

The question was then taken on Mr. YULEE's

endment, and resulted as follows: YEAS—Messrs, Atchison, Bell, Berrien, Borland, Butler, Cass, Clay, Clemens, Davis of Mississippi, Dawson, Dickinson, Dodge of Iowa. Douglas, Downs, Foote, Houston, Hunter, King, Mangum, Mason, Morton, Pearce, Pratt, Rusk, istian, Soule, Spruance, Sturgeon, Turney,

and Yulee—30.

NAYS — Messrs. Badger, Baldwin, Benton Bright, Chase, Clarke, Cooper, Davis of Massa-chusetts, Dayton, Dodge of Wisconsin, Felch, Greene, Hamlin, Jones, Miller, Norris, Seward, Shields, Smith, Underwood, Upham, Walker, Webster, and Whitcomb-24. So the amendment was adopted.

On motion by Mr. Downs, the twenty-seventh ection of the bill was amended so as to corresond with the tenth section.

Mr. CLEMENS. Mr. President, I desire to submit an amendment to the 39th section, as fol-

lows: Strike out the words—
"First. The northern boundary of said State as follows:

Yeas—Messrs. Baldwin, Bradbury, Bright, Chase, Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Baldwin, Bradbury, Bright, Chase Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Baldwin, Bradbury, Bright, Chase Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Baldwin, Bradbury, Bright, Chase Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Bradbury, Bright, Chase Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Bradbury, Bright, Chase Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dougton Bradbury, Bright, Chase Cha to a point where the hundreth degree of west longitude crosses Red river, being the southwest angle in the line designated between the United States and Mexico, and the same angle in the line of the territory set apart for the Indians by the United States.
"The United States code to the State of Texas

all right, claim, and title which they have to any territory lying south of the line aforesaid. And the said State of Texas cedes to the United States any right, claim, and title which it has to

And insert the following: "First. The boundaries of the said State of the territor Mr. DAYTON. I feel the full force of the cluded in said boundaries shall be reserved ab solutely to the said State of Texas.

" Second. That for the safety and comfort of the white mhabitants, and to enable the Governpears to me that we are proposing to interfere with vested rights, so far as I have any knowledge Indian depredations, and otherwise control them of this system of peonage. Now, sir, I think that in such manner as the peace of the country may whatever we may do as to the future, we should require, the various Indian tribes within said let the present stand. If it is in order now to State shall be collected and removed to such part move to amend the amendment of the senator of the State of Texas, north of the thirty-fourth parallel of north latitude, as the Legislature thereof may direct; and such collection and removal shall be made under the authority and at he expense of the United States."

question being taken on the amendment lows: of Mr. CLEMENS, it was decided in the negative, is follows: YEAS - Messrs. Atchison, Borland, Butler,

demens, Davis of Mississippi, Downs, Foote, Houston, Hunter, King, Mason, Morton, Pratt, Rusk, Sebastian, Soule, and Turney—17.

NAYS—Messrs. Badger, Baldwin, Bell, Benton, Berrien, Bright, Cass, Chase, Clarke, Clay, Cooper, Corwin, Davis of Massachusetts, Daw-Dayton, Dickinson, Dodge of Wisconsin Dodge of Iowa, Douglas, Greene, Hale, Hamlin, Jones, Mangum, Miller, Norris, Pearce, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Upham, Walker, Webster, and Whitcomb—37.

June 12th. The VICE PRESIDENT. The amendment of the senator from Illinois [Mr. Douglas] will

be read: Grande, at the southern end of the Jornado del Muerto, or Journey of the Dead, to the Red ing confined to certain limits. Congress has al-ready exercised jurisdiction in abolishing impri-and the eastern boundary of the Territory of New Mexico shall be the range of mountains or dividing ridge separating the waters flowing into the Rio Grande from the waters flowing into the

Mr. SHIELDS. I regret that this am ment has been offered; but, having been offered, On motion by Mr. CLEMENS, the Senate I shall move to amend the amendment by striking out the words "Jornado del Muerto," and inserting the words "Paso del Norte" in lieu of The question was then taken on the amend- them. I will state that that will be a continuament to the amendment proposed by Mr. Day- tion of the old line between Chihuahua and New Mexico to the one hundredth degree of longitude on the Red River. I hope my friends from

The question being then taken upon the amendment submitted by Mr. SHIELDS, it was rejected -yeas 24, nays 26, as follows: YEAS-Messrs. Baldwin, Benton, Chase.

Nays—Messrs. Badger, Baldwin, Bell, Benton, Chase, Clarke, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dodge of Wisconsin, Dodge of Wisconsin, Dodge of Hale, Jones, Miller, Norris, Seward, Shields, Smith, Spruance, Underwood, Upham, Wales, Walker, Webster, and Whitcomb-24.

NAYS-Messrs. Atchison, Bell, Berrien, Borland, Bright, Butler, Cass, Clay, Clemens, Cooper, ost.

Davis of Mississippi, Dawson, Dickinson, Downs,
Foote, Houston, Hunter, King, Mangum, Mason, Morton, Pratt, Rusk, Sebastian, Soule, and

Sturgeon—26.

The question then recurring upon the amend-

Whatever restrictions may have been placed in other parts of the bill, were not placed there with my consent, for I voted to strike out and get rid of them. I will not vote to legislate Massachusetts, Davis of Mississippi, Dayton,

Mr. TURNEY. I move to strike out the 39th section. I do not deem the section important. There was some time ago a proposition by the honorable senator from Alabama, [Mr. Clearess,] to amend the section by recognizing the fine of Texas as set up by the act of Congress of the republic of Texas. The Senate refused to do that. I am one of those who do not believe that Congress has the right to purchase that any portion of a sovereign State, but for the purposes enumerated in the Constitution. If purposes enumerated in the Constitution. If purposes enumerated in the last to vote That the lands of the non-residents shall never that the lands of the non-residents shall never that the lands of the non-residents shall never the control of the section by recognizing the power so as to obstruct or impede any control which the United States may deem advisable to exercise over such districts in the mining regions (either now discovered, or to be discovered hereafter) as may not be included in any lawful grant made to private individuals, or to corporations, prior to the session of California to the United States;

That the lands of the non-residents shall never there was such a power, I am the last to vote to exercise it upon this occasion. The great question seems to be the question of slavery or free-soil. Here is a dispute in relation to this boundary, and a proposition is unade to compromise it. In making that proposition of compromise, we are to compromise in favor of free-soil, or of the North. The South is to be satisfied. fied by means of dollars-by money-and I am not prepared to give such a vote. I wo vote three times that amount to maintain her title, and not to surrender it up to free-soil, or for any purpose whatever. I am satisfied with her boundary. The title is good and well sustained. ooundary. The title is good and well sustained, and I would have no fears to have it go before the courts. But whether it can be got there or not, is another question. I am the last on this

floor to give a vote to purchase territory from Texas in order to make it free territory. Jone 14th The question being then taken upon the a-nendment submitted by Mr. TURNEY, it was rejected—yeas 24, nays 27, as follows: YEAS - Messes. Baldwin, Benton, hase, Clarke, Corwin, Davis of Massachusetts, Davis of Mississippi, Dayton, Dodge of Wisconson, Greene, Hale, Hamlin, Hunter, Mason, Miller, Seward, Smith, Soule, Spruance, Turney,

pham, Wales, and Yulee-24 Upham, Wales, and Yulee—24
NAYS—Messrs. Atchison, Badger, Bell, Berrien, Bright, Cass, Clay, Cooper, Dawson, Dickinson, Dodge of Iowa, Downs, Foote, Houston, Jones, King, Morton, Norris, Pearge, Pratt, Rusk, Shields, Sturgeon, Underwood, Walker, Webster, and Whitcomb—27.

Mr. KING arose and said his colleague [Mr.

CLEMENS | had paired off with Mr. Douglas, who was unwell; but, were it necessary, they ould come and give their votes. Mr. HALE offered the following amend

Strike out of 13th section, in line 38, the word where," and the 39th, 40th, and 41st lines, to the word "and," in the 42d, line, and in In all cases in which said Supreme Court of the United States would have jurisdiction, if said cases had arisen in any one of the United States. On motion, the Senate then adjourned.

The VICE PRESIDENT stated the question pending to be on the motion to fill the blank in the 39th section with "one million dollars," and that on that motion the yeas and nays had been The question was then taken on Mr. CLEMENS's

The question was the teach of Mr. Clemens s amendment, which resulted as follows:
YEAS—Messrs. Benton, Clemens, Davis, of Mississippi, Hale, Hunter, Pearce, Soule, and Yulee—8. NAYS-Messrs. Atchison, Badger, Baldwin Bell, Berrien, Bright, Cass, Clay, Cooper, Daw-son, Dickinson, Dodge, of Wisconsin, Dodge, of Iowa, Downs, Houston, Jones, King, Norris, Pratt, Rusk, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Wales, Walker, Webster,

and Whiteomb-30.
So the section was not tricken out. The Senate then adjourned.

Mr. BALDWIN moved to amend the amen ent of Mr. Soule, viz.:
"And when the said Territory, or any portio the same, shall be admitted as a State, it shall received into the Union with or without slavery, as their constitution may prescribe at

By striking out all after the word "State and inserting the following:

"At the proper time, to be judged of by Congress, the people of said Territory shall be admitted to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution." After debate, the question was taken on the

the time of their admission."

By striking out all after the word "State" and

amendment to the amendment, and resulted as follows: YEAS-Messrs, Baldwin, Chase, Clarke, Davis. of Massachusetts, Dayton, Dodge, of Wisconsin,

-12.NAYS-Messrs. Atchison, Badger, Bell, Ben ton, Berrien, Bright, Butler, Cass, Clay, Clemens, Cooper, Davis, of Mississippi, Dawson, Dodge, of Iowa, Douglas, Downs, Foote, Houston, Hunter, Jones, King, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Shields, Soule, Spruance, Sturgeon, 1 urney, Underwood, Wales Webster, Whiteomb, and Yulee—38.

So the amendment was rejected. The question then recurred on the amendment offered by Mr. Soule. The yeas and nays having been demanded and ordered on the amendment, resulted as fol-

YEAS-Messrs, Atchison, Badger, Bell, Ben ton, Berrien, Bright, Butler, Cass, Clay, Clemens, Cooper, Davis of Mississippi, Dawson, Dodge of Iowa, Douglas, Downs, Foote, Houston, Hunter, Jones, King, Mason, Morton, Norris, Pearce, Pratt, Rusk, Sebastian, Shields, Soule, Spru-ance, Sturgeon, Turney, Underwood, Welster, Whitcomb, and Yulee—38.

NAYS-Messrs. Baldwin, Chase, Clark, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Greene, Hale, Miller, Smith, Upham, and Walker -12.

The next question pending was on an amendment to the 1st section, offered by Mr. HALE resterday, as follows:

New States, not exceeding two in number, of onvenient size, and having sufficient population, may hereafter, by the consent of the said State of California, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitu-Mr. FOOTE moved to amend the amendmen

by adding thereto, after the word "Constitution," the following: With or without slavery, as the people of said State asking admission may desire.

The question being then taken upon the mendment by Mr. FOOTE to Mr. HALE'S amendment, it was adopted-yeas 26, nays 9, as fol-YEAS-Messrs. Atchison, Badger, Bell, Ber rien, Butler, Clay, Clemens, Davis of Mississippi,

Dawson, Dodge of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Mason, Morton, Pratt, Rusk, Soule, Spruance, Sturgeon, Underwood, Wales, and Yulee-26. Nays-Messrs. Baldwin, Chase, Corwin, Dodge of Wisconsin, Hale, Phelps, Smith, Up-

nam, and Webster-9. The question recurring upon the amendment amended Mr. CLAY. Let it be withdrawn.

No objection being made, the amend

Both of the above amendments were withdrawn after the vote was taken. June 28th.

MR. Soule's AMENDMENT. The Senate then, as in Committee of the Whole, resumed the consideration of the bill for the admission of California as a State into the Union, to establish territorial governments for Utah and New Mexico, and making proposals to Texas for the settlement of her northern and western boundaries-the question pending being upon the following amendment, submitted b

Strike out the first, second, and third sections f the bill, and insert the following:

Be it enacted by the Senate and House of Re-

be taxed higher than those of residents;
That the navigable waters shall be open an free to all citizens of the United States, those of California included; and
That her Southern limits shall be restricted.

to the Missouri Compromise line, (thirty-six degrees thirty minutes of north latitude;)
And as soon as she shall have produced to the President of the United States satisfactory and authentic evidence that the terms above set forth have been fully and exactly complied with, the President of the United States be, and he is hereby, authorized and requested, without any further action on the part of Congress, to issue his proclamation declaring that California is, and she shall thereupon be, admitted into the Union upon an equal footing with the original States

all respects whatsoever.
Sec. 2. And be it further enacted, That sur portions of the revenue collected in the ports of California as may remain unexpended at the time of the issuing of the President's proclamation as aforesaid, shall be paid over to the said State of

California.
Sec. 3. And be it further enacted, That the Senators and Representatives elect now before Congress for the said State of California shall be entitled to receive, and shall receive, the mileage and the per diem pay allowed to the delegate from the Territory of Oregon, from the day that the message of the President transmitting the constitution of California was received by Con

country lying between thirty-six degrees thirty minutes of north latitude and the boundary line between Mexico and the United States, esta lished by the treaty of Guadalupe Hidalgo, and extending from the Pacific to the Sierra Madre. shall constitute a Territory, under the name of Territory of South California, and shall be organized, as such, under the provisions of th bill applying to the Territory of Utah, (changin names where they ought to be changed,) in all respects whatsoever; and shall, when ready able, and willing to become a State, and desiring to be such, be admitted into the Union, with o

oncluded his remarks commenced on Tuesday

Mr. CLAY rose, after a brief pause, and said Mr. President, if there is no other gentleman disposed to speak, I hope we shall take up the amendments and act upon them.
The PRESIDING OFFICER. There is a

nents have been laid upon the table, but there have been none offered Mr. CLAY. Then the question will be on re porting the bill to the Senate.

Mr. DAYTON. I have an amendment which

he proper time, I offer it no v. The amendment proposes to strike out of the fourth clause of section 39, after the words "the United States, in consideration of the three

preceding articles," the words: "And considering that to a portion of the lows: creditors of Texas were pledged the duties on foreign imports receivable in her ports, as a security for the reimbursement of the loans and advances which they made to the said State, and that the said duties, since the annexation of the said State to the United States, have been received and are receivable by them."

So that the clause, if the amendment b ngreed to, will stand thus:
"Fourth. The United States, in consideration of the three preceding articles, will pay to the State of Texas the sum of _____ dollars, in a stock bearing 5 per cent. interest, payable

as aforesaid, and the residue thereof in such manner as the said State may direct."

And insert the following:

"Applied to the payment and extinction of the public debt of said State in the whole or pro rata: Provided, That upon payment by the United States of the sum aforesaid, in manner aforesaid, it shall be the duty of the clerk of said. And insert the following: United States of the sum aforesaid, in manner aforesaid, the State of Texas shall release and transfer to the United States all her right, title, and interest in and to the vacant and unappropriated lands lying within her limits."

And leaving undisturbed the following provises:

"Provided, That nothing herein contained is to be construed to imply or admit the liability of the United States for any portion of the public said sut from term to term, should it be necessary." And leaving undisturbed the following pro-

debt of Texas." The first question was on concurring in the amendment to the fifth section, providing that the Territory to Utah may hereafter be admitted into the Union as a State, with or without

slavery, as her constitution may prescribe.

Mr. SEWARD called for the yeas and nays, but they were not ordered, and the amendment was concurred in. The second amendment was that which was nade to the tenth section, striking out the words "in respect to," and inserting the words " estab-lishing or prohibiting" before the words " Afri-

can slavery Mr. BALDWIN called for the yeas and nays, and they were ordered, and resulted as follows YEAS.—Messrs Atchison, Badger, Barnwell, Berrien, Butler, Clay, Clemens, Davis of Mis-sissippi, Dawson, Dickinson, Dodge of Iowa, Downs, Foote, Houston, Hunter, Jones, King, Morton, Rusk, Sebastian, Shields, Soule, Stur geon, Turney, Underwood, Webster, and Yulee

NAVS.-Messrs, Baldwin, Bradbury, Bright Cass, Chase, Clarke, Cooper, Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Felsh, Greene, Hale, Hamlin, Miller, Norris Phelps, Seward, Smith, Spruance, Upham Wales, Walker, and Whitcomb-25. So the amendment was concurred in.

Mr. DAVIS of Misssissippi, had moved to sert at the end of the 21st section the words " And that all laws or parts of laws, usages or customs, pre-existing in the territories acquired by t'e United States from Mexico, and Be it enacted by the Senate and House of Re-presentatives of the United States of America in Congress assembled, That as soon as California or property of a citizen of the United States, as shall have passed in convention and ordinance providing—

That she relinquishes all title or claim to tax,

That she relinquishes all title or claim to tax,

That she relinquishes all title or claim to tax,

Which Mr. Hate had moved to amend by add

ing the following:
"Provided, That the laws abolishing slavery

pealing clause." The question being on the amendment of Ma HALE, it was rejected.

On the amendment of Mr. DAVIS, Mr. HAMLIN called for the yeas and nays, and they were ordered, and being taken, resulted as fol

YEAS-Messrs, Atchison, Bell, Berrien, Bu

YEAS—Messrs. Atchison, Bell, Berrien, Butler, Clemens, Davis of Mississippi, Dawson, Foote, Houston, Hunter, King, Mason, Morton, Pearee, Rusk, Schastian, Soule, and Yulee—18.

NAYS—Messrs. Badger, Baldwin, Benton, Bright, Cass, Chase, Clarke, Clay, Coo; e., Corwin, Davis of Massachusetts, Dayton, Dodge of Wisconsin, Dodge of Iowa, Pelch, Greene, Hamin, Jones, Miller, Norris, Phelphs, Pratt, Shields, Smith, Spruance, Sturgeon, Underwood, Upham, Walker, and Whitcomb—30.

So the amendment was said to the state of the stat

Walker, and Whitcomb—30.

So the amendment was rejected.

Mr. Benton, at an earlier period of the day, before this bill was taken up, gave notice to the Senate of his intention, at a convenient opportunity, to offer an amendment, which he submitted, that it might be ordered to be printed.

The amendment was ordered to be printed, as follows:

Strike out of proposition 1st, of section 39 after the word "beginning," these words, "at the point of the Rio del Norte, commonly called El Paso, and running up that river twenty miles, measured by a straight line thereon, and thence eastwardly to a point where the hundreth de-gree of west longitude crosses Red river, being the southwest angle on the line designated be-tween the United States and Mexico, and the same angle in the line of the territory set apart for the Indians by the United States;" and insert after the said word "beginning" these words, "at the point in the middle of the deepest channel on the Rio Grande del Norte, where the same is crossed by the one hundred and sec-ond degree of longitude west from the meridian of Greenwich; thence north, along that longitude, to the thirty-fourth degree of north latitude; thence eastwardly to the point at which the one hundreth degree of west longitude

crosses the Red river.

June 19th.

The Senate having under consideration, as in Committe of the Whole, the bill for the admission of California as a State into the Union, the establishment of the territorial governments of Utah and New Mexico, and making p oposals to Texas for the settlement of her Northern and Western have desired. oundaries—
Mr. UNDERWOOD said: I have prepared an

able, and willing to become a State, and desiring to be such, be admitted into the Uniou, with or without slavery, as the people thereof may desire and make known through their constitution. After a very long debate,

The question being then taken upon the amendment, it was rejected—yeas 19, nays 36—as follows:

YEAS—Messrs. Atchison, Barnwell, Berrien, Butler, Clemens, Davis of Missiscippi, Dawson, Morton, Rusk, Sebastian, Soule, Turney, and Yulee—19.

NAYS—Messrs. Badger, Baldwin, Bell Benton, Bright, Cass, Chase, Clarke, Clay, Cooper, Corwin, Davis of Massachusetts, Dayton, Dickinson, Dodge of Wisconsin, Douglas, Felch, Greene, Hale, Hamlin, Jones, Miller, Norris, Pearee, Phelps, Pratt, Seward, Shields, Smith Sturgeon, Underwood, Upham, Wales, Walker, Webster, and Whitcomb—36.

July 15th.

The Senate, as in Committee of the Whole, resumed the consideration of the bill for the admission of California as a State into the Union, to establish Territorial governments for Utah and New Mexico, and making proposals to Texas for the settlement of her visit or with the Union, to establish Territorial governments for Utah and New Mexico, and making proposals to Texas for the settlement of her western and northern boundaries.

Mr. BUTLER having the floor, resumed and concluded his remarks commenced on Tuesday last.

Mr. UNDERWOOD and : I have perpared an amendment which I wish to bring to the notice of the Senate I shall not occupy the ume of the Senate in the Senate at subsequent period I may submit some remarks—when we get into the Senate a subsequent period I may submit some remarks—when we get into the Senate a subsequent period I may submit some remarks—when we get into the Senate of Pexas and New Mexico, in the Suntential to be instituted by the State of Texas against the United States, in the Supreme Court of the United States, in the Supreme Court of the United States of State of Texas and New Mexico, in the State of Texas and Ne

ble to the Reporter.

Mr. UNDERWOOD. I think that the natural order of things is, that the State should become actor against the person in possession.

Mr. WEBSTER. Why not file a bill to quiet the title?

Mr. UNDERWOOD. I do not see why Tex-

amendment before the Senate. Several amend Mr. CLAY. Suppose she should refuse to do Mr. UNDERWOOD. My object is to bring this matter to the attention of the Senate; for if Texas rejects the propositions, we are left prewhere we now are—the Government of the United States in possession of the territory, Texas asserting her claim, and nothing done to bring this matter to a termination. My object is to present a remedy to the consideration of the Senate, which I will read. It is to be added to the bill. I

will read the terminating article, which is as fol 6th. If the said State of Texas shall refuse or decline to accede to the preceding articles, they shall become null and void; and the United States shall be remitted back to all their territorial rights

in the same state and condition as if these articles of compact had never been tendered to the acceptance of the State of Texas.

It is to be perceived from this sixth article, that if Texas should refuse to accede to this proposi-tion, the United States are to be remitted back to all their territorial rights, and of course Texas has all her claim as before, as if nothing had been done. I propose to add the following:

And thereafter it shall be lawful for the said

in a stock bearing 5 per cent. interest, payable half-yearly at the Treasury of the United States, the principal to be redeemable at the end of fourteen years; which said stock shall be—"

The amendment proposes to strike out the continuation of the section:

"First applied to the extinction of any debt for which the duties on imports were pledged as aforesaid, and the residue thereof in such 1848; and in case the said court shall determine and decide that the State of Texas has the better

court to place a copy thereof in the hands of the marshall of the District of Columbia, who shall deliver the same to the President of the United States, and make due return of that fact to the said court; and the case shall stand for trial at the next

hereby authorized to prescribe the mode of taking evidence, touching all matters which the court shall deem necessary to inquire into; and to appoint one or more persons to obtain such evidence.

Be it further enacted, That in the event the State
of Texas shall reject the terms in this act offered
to her, and shall not, within — months after
such rejection, institute a suit in the Supreme
Court, as is herein provided for, it shall then be the duty of the President of the United States to cause a suit in the name of the United States, to be instituted in said Supreme Court against the State of Texas, for the purpose of settling the

title to the disputed territory. The question being then taken upon the amendment, it was rejected—yeas 16, nays 24—as fol-

WS: YEAS-Messrs. Baldwin, Clarke, Corwin, Da YEAS—Messrs. Baldwin, Clarke, Corwin, Davis of Massaceusetts, Dodge of Wisconsin, Greene, Hale, Hamlin, Miller, Phelps, Seward, Spruance, Underwood, Upham, Wales, and Walker—16.

NAYS—Messrs. Atchison, Badger, Benton, Berrien, Bright, Butler, Cass, Clay, Cooper, Dawson, Downs, Felch, Foote, Houston, Hunter, King, Mason, Morton, Pratt, Rusk, Sebastian, Soule, Sturgeon, and Whitcomb—24.

Mr. BERRIEN. I have forborne from presenting the proposition of which Leave protections are

Mr. BERRIEN. I have forborne from presenting the proposition of which I gave notice yesterday, under the impression that the amendment laid on the table by the senator from Missouri [Mr. Benton] was entitled to precedence, and would have been presented to the consideration of the Senate. If that senator does not desire to offer his amendment now, I will sumbit mine, and asking the title prediction. that it be read :